

**Tetra Tech EM Inc.**

7 West 6th Avenue, Suite 612 ♦ Helena, MT 59601 ♦ (406) 442-5588 ♦ FAX (406) 442-7182

RECEIVED

SEP 06 2005

Dept. of Environmental Quality
Remediation Division

September 2, 2005

Ms. Catherine LeCours, Superfund Project Manager
Montana Department of Environmental Quality
Remediation Division
P.O. Box 200901
Helena, MT 59620-0901

Subject: Potential Organizational Conflict of Interest for Troy Operable Unit of the Libby Asbestos Superfund Site; DEQ Contract No. 402014

Dear Catherine:

Tetra Tech EM Inc. may be tasked to provide environmental consulting services to the Montana Department of Environmental Quality (DEQ) under our Contract No. 402014 for the Troy Operable Unit of the Libby Asbestos site. DEQ Contract No. 402014 is executed solely between the Montana DEQ and Tetra Tech EM Inc., a wholly owned subsidiary of Tetra Tech Inc. All technical and administrative personnel who provide services to DEQ under contract task orders have been approved by DEQ through the submittal of Exhibit I, Tetra Tech EM Inc.'s Personnel Roster and Labor Rates.

Tetra Tech EM Inc. has completed an internal organizational conflict of interest (OCOI) screening for potential work at the Troy Operable Unit site and wishes to disclose the following information, as required under Paragraph C. DISCLOSURE of Section XV: CONFLICT OF INTEREST [40 CFR 35.6550(b)(2)] of our Contract. Over the past year, GeoTrans, Inc., one of Tetra Tech Inc.'s more than 30 subsidiaries has provided environmental services to W.R. Grace, a past mine owner at Libby. GeoTrans holds a master services agreement with WR Grace and has provided service to them for many years.

Tetra Tech EM Inc. has impartially worked for DEQ since 1989 on remediation and reclamation projects across Montana. Tetra Tech EM Inc. believes that the work done by GeoTrans will not provide an OCOI for the following reasons:

- (1) GeoTrans' work involved groundwater modeling and other investigations related to cleanup of sites in Massachusetts, Maryland and California, as well as regulatory negotiation support and non-site specific strategic consulting regarding environmental issues. This work was not related to projects in Libby, MT;
- (2) Neither GeoTrans nor any other part of Tetra Tech Inc. has ever worked for W.R. Grace or, to the best of our knowledge, any other potentially responsible parties at the Libby, MT site;
- (3) No GeoTrans personnel will be involved in this Troy task order, or any other work at Troy or for DEQ;
- (4) No Tetra Tech EM Inc. personnel proposed for this task at Troy, MT have worked for GeoTrans on W.R. Grace projects; and
- (5) GeoTrans reports directly to Tetra Tech's corporate office in a structure that is completely independent of Tetra Tech EM Inc.

In addition, if DEQ assigns work to Tetra Tech EM Inc. for the Troy Operable Unit, Tetra Tech EM Inc. will not discuss or share any information or results from this work with GeoTrans. All individual staff proposed to work under the Troy Operable Unit task order will be provided to DEQ prior to beginning any work.

Tetra Tech EM Inc. currently has approximately 900 employees in about 35 offices in the U.S. and abroad. Approximately 8,000 employees work for Tetra Tech Inc. worldwide under the more than 30 subsidiaries companies. Tetra Tech EM Inc. is cognizant of the potential for organizational and personal conflicts of interest and is committed to screening and disclosing any apparent or potential conflicts when they arise. The Helena Tetra Tech EM Inc. office is committed to continuing to provide Montana DEQ with high quality, unbiased, environmental and engineering consulting services under DEQ Contract No. 402014. Tetra Tech EM Inc. does not believe there are any actual conflicts of interest to providing environmental consulting services to DEQ for the Troy Operable Unit site.

I am attaching our internal OCOI screening form and results for your review. If you have any questions or concerns, or would like to meet to discuss this further, please call me at 442-5588.

Sincerely,

A handwritten signature in cursive script, reading "J. Edward Surbrugg".

J. Edward Surbrugg, Ph.D.
Helena Tetra Tech EM Inc. Operations Manager

Enclosure: Tetra Tech EM Inc. COI Screening Form

cc: Tetra Tech EM Inc. file

**TETRA TECH EM INC.
COI SCREENING**

Client Name: Montana Department of Environmental Quality
Contract No. S1176
Work Assignment No: Work plans, sampling plans, field investigations, reports, remedial design, and construction oversight at the Troy Operable Unit of the Libby Asbestos Site.

COI Screening Step Completed:

EMI database site screening completed	<u> x </u>
EMI database client screening completed	<u> x </u>
Sent to Tetra Tech, Inc.	<u> x </u>
Information entered into EMI database	<u> x </u>
Results received from Tetra Tech, Inc.	<u> x </u>

Results:

EMI COI	<u> </u> Yes	<u> x </u> No	<u> </u> See below
Other Tetra Tech Companies COI	<u> x </u> Yes	<u> </u> No	<u> x </u> See below

Additional Information:

See potential COI disclosure information and mitigation measures described in September 2, 2005 letter to Ms. Catherine LeCours, Montana DEQ Superfund Project Manager.

* * * COMMUNICATION RESULT REPORT (SEP. 6. 2005 4:35PM) * * *

FAX HEADER 1: DEQ REMEDIATION DIV
FAX HEADER 2:TRANSMITTED/STORED : SEP. 6. 2005 4:34PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

0049 MEMORY TX

3033126897

OK

4/4

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWERE-2) BUSY
E-4) NO FACSIMILE CONNECTION

FAX COVER SHEET

DEPARTMENT OF ENVIRONMENTAL QUALITY
REMEDIATION DIVISION
1100 North Last Chance Gulch
PO Box 200901
Helena MT 59620-0901
Phone: (406) 841-5040
Fax: (406) 841-5050

DATE: Tuesday, September 06, 2005

TOTAL NUMBER OF PAGES: 4
(including this cover sheet)

TO: Peggy Churchill

FAX #: Phone Code: 115-73-600-303-312-6897

FROM: CATHERINE LeCOURS, PROJECT MANAGER
Montana Department of Environmental Quality
Remediation Division
Mine Waste Cleanup Bureau

RC#: 474600

COMMENTS:

Peggy, I heard from Jim that EPA cleared Tetra Tech to work on Troy. Here is the letter that Tetra Tech prepared for me in response to a request for CoI disclosure. Just an FYI for your files.

Also, we will begin routing the Task Order for the CSS and I have begun the draft of a new schedule for the Cooperative Agreement. Looks like one year behind of what was represented in the original CA application.

Thanks for the extra money! Keep it coming.

See ya' next week.

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